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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

KEN WALTERS and JOHN BONILLA, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

Plaintiffs,
v.
GOLDEN GATE CRANE & RIGGING, INC.,
Defendant.

KEN WALTERS and JOHN BONILLA, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

Plaintiffs,
v.
GOLDEN GATE CRANE & RIGGING, INC.,
ROBERT NEWBERRY, SUE NEWBERRY,
et al.,
Defendants.

Case No.: C06-1906 WHA [DMR]

Consolidated With

Case No.: C06-5396 WHA [DMR]

**[PROPOSED] AMENDED ORDER
SETTING DEBTOR'S EXAMINATION
OF JUDGMENT DEBTOR ROBERT
NEWBERRY AS MODIFIED**

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1 Pursuant to Order Re Plaintiffs' Request for Reconsideration of January 3, 2012 Order
2 (Docket No. 113), and Good Cause Appearing therefore,

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

4 1. Judgment Debtor Robert Newberry shall personally appear on **April 25, 2012 at**
5 **9:30 a.m.** at Oakland Courthouse, Courtroom 4 - 3rd Floor, 1301 Clay Street, Oakland, CA
6 94612, California before the Magistrate Judge Donna M. Ryu then and there to be examined on
7 oath concerning Judgment Debtor's property or other matters material to the proceeding.

8 2. Judgment Creditors shall serve personally Robert Newberry with a copy of this
9 Order and shall provide proof of such service to the Court not less than five (5) days before the
10 Judgment Debtor Examination.

11 3. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor
12 Examination herein scheduled, or to produce the documents pursuant to F.R.C.P. 34, this Court
13 may certify the facts of the Judgment Debtor's contempt to the District Court pursuant to 28
14 U.S.C. § 636(e), and the District Court may adjudicate Judgment Debtor guilty of civil contempt
15 of its orders and may issue a warrant or seizure order to compel compliance with this Order.

16 DATED this 17th day of January, 2012



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18 UNITED STATES MAGISTRATE JUDGE
19 DONNA M. RYU
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